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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/669,178 | 09/25/2000 | John R. Fredlund | 81687RLO | 3016 |
| 7590 | 10/20/2004 | | EXAMINER | |
| Patent Legal Staff Eastman Kodak Company 343 State Street Rochester, NY 14650-2201 | | | SELBY, GEVELL V | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2615 | |

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|--------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/669,178 | FREDLUND ET AL. |
| | Examiner Gevell Selby | Art Unit 2615 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 8/11/04.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-23 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 3/26/04 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/11/04 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 4-10, 13-16, and 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., US 4,887,161, in view of Toyoda et al., US 4,420,773.**

In regard to claim 1, Watanabe et al., US 4,887,161, discloses a camera (see figure 2) having a removable image bearing medium for camera captured images that includes film or a digital memory comprising:

(a) a display (see figure 2, element 24) disposed relative to the removable image bearing medium (see figure 2, element 20) so that the display is removable from the camera with the removable image bearing medium (see column 3, lines 42-44), such display responding to an applied power source in the image bearing medium for displaying images or information related to captured images and continuing to display such image after removal of the display from the camera (see column 5, lines 61-63 and column 7, lines 6-9);

[The power to the driver part of the display that changes the condition can be turned off and the display will continue to operate on the secondary solar battery which is a renewable power source that does not need to be conserved because of risk of running out.]

(b) means for actuating the display and applying the power source to provide images of one or more captured images or information related to such one or more captured images (see column 6, lines 1-9); and

(c) the display being positioned for viewing by a user (see figure 2 and column 2, lines 59-61).

The Watanabe reference does not disclose applying a power source from the camera to the display when the image bearing medium is in the camera and not applying power to the display when the camera is disconnected.

The Toyoda reference discloses a camera with a removable storing unit 2 with a display device 201 that displays the number of frames that can be stored on the unit (see column 4, lines 17-23 and figure 2). The image pickup unit 1 has a power supply battery E1 and the storing unit has a secondary power supply E2 (see column 15, lines 55-60 and figures 15A and B). When the storing unit is separated from the camera it operates on its own battery supply, but when the storing unit is attached to the camera, the storing unit is supplied with power from the battery E1 (see column 15, lines 60-66). In this way, the consumption of the battery E2 having a small electric capacity can be minimized (see column 15, lines 66-68).

It would have been obvious to one of ordinary skilled in the art at the time of invention to have been motivated to modify Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, to have the camera's power supply power the display and other components of the storing medium when attached to the camera and for the storing medium to use its internal power to continue to display images when the medium is detached from the camera's power source and no power is applied in order to minimize the consumption of the battery of the storing medium as taught by Toyoda.

In regard to claim 4, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 1. Watanabe et al., US 4,887,161, discloses that the image bearing medium includes a removable memory card (see figure 4, element 20) having the digital memory (see figure 1, 22).

In regard to claim 5, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 1. Watanabe et al., US 4,887,161, discloses that the image captured related information provides an indication of remaining capacity of images to be taken by the camera (see figure 1, element D1 and column 5, lines 28-30).

In regard to claim 6, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 1. Watanabe et al., US 4,887,161, discloses that the image captured related information provides a time or date (see figure 1, element D2 and column 5, lines 28-30).

In regard to claim 7, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 1. Watanabe et al., US 4,887,161, discloses that

the image bearing medium displays at least one indication of the status of the camera (see column 5, lines 52-67).

The display can be used as a viewfinder to indicate the image the camera will record in capture mode before the picture is taken.

In regard to claim 8, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 1. Watanabe et al., US 4,887,161, discloses that the image bearing medium communicates an indicia of the capabilities of the display to the camera (see column 6, lines 30-49 and figure 5, elements 23a and 23b).

In regard to claim 9, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 7. Watanabe et al., US 4,887,161, discloses that the camera actuates the display on the image bearing medium to remove camera status indications prior to removal of the image bearing medium from the camera (see column 5, lines 52-67 and column 8, lines 17-20).

When the display is in viewfinder mode displaying the current picture to be photographed and the medium is going to be removed from the camera, the camera will first change the image to the one with the smallest frame number removing the prior indication status.

In regard to claim 10, Watanabe et al., US 4,887,161, discloses a camera (see figure 2) having a removable image bearing medium for camera captured images that includes film or a digital memory comprising:

(a) a display (see figure 2, element 24) disposed relative to the removable image bearing medium so that the display is removable from the camera with the

removable image bearing medium (see figure 2, element 20), such display displaying images or information related to captured images (see column 3, lines 26-33), the display including material which is effective in a first condition in response to a selected applied high voltage applied to the camera for changing the condition of the material to display one or more images or information related to the captured images wherein such material continues to display the one or more images or information after the removal of the high voltage (see column 5, lines 61-63 and column 7, lines 6-9);

[The power to the driver part of the display that changes the condition can be turned off and the display will continue to operate on the secondary solar battery which is a renewable power source that does not need to be conserved because of risk of running out.]

(b) means for actuating the display by selectively applying high voltages to the material to provide one or more images of one or more captured images or information related to such one or more captured images (see column 6, lines 1-9); and

(c) the display being positioned for viewing by a user either when the display is in the camera or separate from the camera when no power from the camera is applied to the display (see figure 2 and column 2, lines 59-61).

The Watanabe reference does not disclose applying a power source from the camera to the display when the image bearing medium is in the camera.

The Toyoda reference discloses a camera with a removable storing unit 2 with a display device 201 that displays the number of frames that can be stored on the unit (see column 4, lines 17-23 and figure 2). The image pickup unit 1 has a power supply battery E1 and the storing unit has a secondary power supply E2 (see column 15, lines 55-60 and figures 15A and B). When the storing unit is separated from the camera it operates on its own battery supply, but when the storing unit is attached to the when, the storing unit is supplied with power from the battery E1 (see column 15, lines 60-66). In this way, the consumption of the battery E2 having a small electric capacity can be minimized (see column 15, lines 66-68).

It would have been obvious to one of ordinary skilled in the art at the time of invention to have been motivated to modify Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, to have the camera's power supply power the display and other components of the storing medium when attached to the camera in order to minimize the consumption of the battery of the storing medium as taught by Toyoda.

In regard to claim 13, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses that the image bearing medium includes a removable memory (see figure 1, element 20) card having the digital memory (see figure 4, element 22).

In regard to claim 14, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses that image captured related information provides an indication of remaining capacity of images to be taken by the camera (see figure 1, element D1 and column 5, lines 28-30).

In regard to claim 15, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses that the image captured related information provides a time or date (see figure 1, element D2 and column 5, lines 28-30).

In regard to claim 16, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses that the image bearing medium displays at least one indication of the status of the camera (see column 5, lines 52-67).

The display can be used as a viewfinder to indicate the image the camera will record in capture mode before the picture is taken.

In regard to claim 18, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses a display type indicia disposed relative to the image bearing medium and wherein the actuating means includes means for reading such indicia to indicate that the display is acceptable for presenting data by the camera (see column 4, lines 10-19 and column 4, line 65 to column 5, line 7).

The connection terminals of the memory card and the camera making an electrically connection to allow the two components to communicate and indicate to the camera the display can present data.

In regard to claim 19, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses

that the image bearing medium communicates an indicia of the capabilities of the display to the camera (see column 6, lines 30-49 and figure 5, elements 23a and 23b).

In regard to claim 20, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 10. Watanabe et al., US 4,887,161, discloses that the camera actuates the display on the image bearing medium to remove camera status indications prior to removal of the image bearing medium (see column 5, lines 52-67 and column 8, lines 17-20).

When the display is in viewfinder mode displaying the current picture to be photographed and the medium is going to be removed from the camera, the camera will first change the image to the one with the smallest frame number removing the prior indication status.

In regard to claim 21, Watanabe et al., US 4,887,161, discloses a camera (see figure 2) having a removable image bearing medium for camera captured images that includes film or a digital memory comprising:

(a) a display (see figure 2, element 24) removably connected to the removable image bearing medium (see figure 2, element 20) so that the display is removable from the camera with the removable image bearing medium and the display is removable from the image bearing medium (see column 3, lines 42-44), no power from the camera being applied when the display is separate from the camera (see column 3, lines 38-41), such display displaying images or information related to captured images, whether in the camera or on the image bearing medium whether inside or outside the camera (see column 3, lines 26-33);

- (b) means for actuating the display to provide images of one or more captured images or information related to such one or more captured images (see column 6, lines 1-9), and
- (c) the display being positioned for viewing by a user (see figure 2 and column 2, lines 59-61).

The Watanabe reference does not disclose applying a power source from the camera to the display when the image bearing medium is in the camera.

The Toyoda reference discloses a camera with a removable storing unit 2 with a display device 201 that displays the number of frames that can be stored on the unit (see column 4, lines 17-23 and figure 2). The image pickup unit 1 has a power supply battery E1 and the storing unit has a secondary power supply E2 (see column 15, lines 55-60 and figures 15A and B). When the storing unit is separated from the camera it operates on its own battery supply, but when the storing unit is attached to the when, the storing unit is supplied with power from the battery E1 (see column 15, lines 60-66). In this way, the consumption of the battery E2 having a small electric capacity can be minimized (see column 15, lines 66-68).

It would have been obvious to one of ordinary skilled in the art at the time of invention to have been motivated to modify Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, to have the camera's power supply power the display and other components of the storing medium when attached to the camera in order to minimize the consumption of the battery of the storing medium as taught by Toyoda.

In regard to claim 22, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 21. Watanabe et al., US 4,887,161, discloses including a battery (see figure 4, element 27) provided on the removable image bearing medium which provides power for the display when the image bearing medium is removed from the camera (see column 5, lines 60-63).

In regard to claim 23, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claim 21. Watanabe et al., US 4,887,161, discloses that the image bearing medium is film mounted in a film cartridge or a memory card (see figure 1 and column 3, lines 20-24).

4. Claims 2, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, as applied to claims 1 and 10 above, and further in view of Doane et al., US 5,695,682.

In regard to claims 2 and 11, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claims 1 and 10 with a liquid crystal display. The Watanabe reference and the Toyoda reference lack that the display is made of chiral nematic liquid crystal material.

Doane et al., US 5,695,682, teaches the chiral nematic the cells of a liquid crystal display can be excited to a position or color with an electric field and remain stable when the field is absent and then changes again when another field is applied (see column 2, lines 34-65).

It would have been obvious to a person skilled in the art at the time of invention, to modify Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, and

further in view of Doane et al., US 5,695,682, to have a display made of chiral nematic liquid crystal material in order to have the display hold its state even when a field is not applied as taught by Doane et al., US 5,695,682, so the display will not be as dependent of the battery.

In regard to claim 17, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, and further in view of Doane et al., US 5,695,682, as explained above, discloses the camera of claim 10 wherein the actuating means applies pulses of high voltage to the display to cause it to be effective in the first condition and to remain in such condition until pulses of lower voltage are applied (see Doane: column 2, lines 34-65).

5. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, as applied to claims 1 and 10 above, and further in view of Gowda et al., US 6,628,333.

In regard to claims 3 and 12, Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, discloses the camera of claims 1 or 10. The Watanabe reference and the Toyoda reference lack that the image bearing medium is film and a film cartridge mountable in the camera and includes such film.

Gowda et al., US 6,628,333, discloses a camera with a removable image bearing medium and display (see figure 4b and column 3, lines 19-25). The image bearing medium is a printer that prints images on instant film (see figure 5a and column 3, lines 65-67).

It would have been obvious to a person skilled in the art, at the time of invention, to modify Watanabe et al., US 4,887,161 in view of Toyoda et al., US 4,420,773, and further in view of Gowda et al., US 6,628,333, to have a removable printer film cartridge in order to print the images the camera captures on instant film as taught by Gowda et al., US 6,628,333.

Examiner's Answer:

The applicants submit that the rejected claims are allowable for the following reasons:

- 1) regarding claims 1, 10, and 21, neither of the cited references disclose a display capable of displaying images on a removable medium without a power source and since neither discloses this, there would be no motivation to combine and it would be unobvious to combine these two references to teach this feature;
- 2) regarding claims 4-9, 13-16, and 18-20, they are dependent claims to allowable claims and therefore allowable;
- 3) regarding claims 2, 11, and 17, there is no suggestion by Doane et al. that the disclosed display can be used in a camera to provide the advantages of the present invention; therefore, there is no motivation to combine Doane et al. with Toyoda et al. and Watanabe et al.;
- 4) regarding claims 3 and 12, the Gowda reference discloses parts of claims 3 and 12, but fails to suggest of disclose captured images continuing to display such images after removal of the display from the camera and no power is applied, as required by

claim 1 and there is no motivation to combine the references because none of them disclose all the features on claims 1 and 10. The examiner respectfully disagrees.

Re claims 1, 10, and 21) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a display capable of displaying images on a removable medium *without a power source*") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

It is true that the references require a power supply for the display after it has been removed from the camera. The claim, however, makes the general statement that no power is applied without indicating to what no power is applied or from where no power is applied and never states the display displays without a power source. The examiner interprets the claim to read that no power is applied to the display device from the camera because the limitation states early that the camera applies power to the display when they are connected. The Watanabe reference discloses all the limitations of claim 1, as explained in the rejection above, except it does not disclose applying a power source from the camera to the display when the image bearing medium is in the camera and not applying power to the display when the camera is disconnected. The Toyoda reference discloses using the camera's power supply to power the display when it is attached to the camera and using the display's power when it is disconnected from the camera in order to minimize the use of the display power. Therefore, the combination of the Watanabe and

Toyoda references would have been obvious and motivated by the teachings of Toyoda and the combination discloses all the claim limitations of claims 1, 10, and 21.

Re claims 4-9, 13-16, and 18-20) the independent claims are rejected for the reasons stated above; therefore, the dependent claims are not allowable by incorporation.

Re claims 2, 11, and 17) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Doane reference is a general teaching that a display made of chiral nematic liquid crystal material can be used in order to have the display hold its state when no power is applied. The motivation to combine this reference is that the display will not be as dependent of the battery; therefore, saving power which is a motivation in the knowledge generally available to one of ordinary skill in the art. The combination of the Watanabe, Toyoda, and Doane references discloses all the limitations of claims 2, 11, and 17.

Re claims 3 and 12) It is true the Gowda reference fails to suggest of disclose captured images continuing to display such images after removal of the display from the camera and no power is applied, as required by claim 1. As explained in the rejection, the combination of the Watanabe and Toyoda references already discloses this feature and the Gowda reference was added to teach the additional limitations of claim 3. It would have been

obvious combine the references to modify the camera to have a removable printer film cartridge. The reason to combine, to print the images the camera captures on instant film, is taught by Gowda. The combination of the Watanabe, Toyoda, and Gowda references discloses all the limitations of claims 3 and 12.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

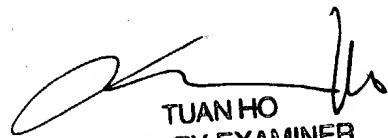
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs



TUAN HO
PRIMARY EXAMINER